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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

HAMDAN, W

ART UNIT

PAPER NUMBER

2858

DATE MAILED: 10/26/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/411,730

Applicant(s)

Dennis A. Kramer

Examiner

Wasseem H. Hamdan

Group Art Unit

2858



☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle* 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-16 _____ is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-16 _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Part III - DETAILED ACTION

Specification

Title

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Drawings

2. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 16 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 16 which recites the limitations "wiring the receiver to a J1708/J1587". The claim is indefinite because using J1708/J1587 is a standard developed by SAE, and they may change with time.

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Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-6, 10-13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coverdill et al. (US Patent number 5,890,080).

Regarding claim 1, 10 and 15, Coverdill et al. disclose a method of actuating electrical components of a vehicle for performing diagnostic analysis on the electrical components [column 2: lines 26-31; 47-57], said method comprising:

relaying a signal from a remote transmitter [column 2: lines 32-34; column 4: lines 1-2] to a receiver aboard a vehicle [column 2: lines 32-41];

Regarding claims 10 and 15, Coverdill et al. disclose performing diagnostic analysis upon the electrical components while actuating the electrical components with the remote transmitter [column 2: lines 32-54; column 3: 47-57].

Regarding claims 1, 2, 10 and 15, Coverdill et al. disclose the essential elements of the claimed invention. Coverdill et al. do not explicitly disclose actuating electrical components on the vehicle in response to the signal from the transmitter. Coverdill et al. disclose resetting the

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vehicle's electronics [column 2: lines 28-31], also Coverdill et al. disclose sensors and actuators used to monitor and control performance of the respective subsystem using ECU's on the truck [column 2: lines 32-35; column 3: lines 50-53] which all mean the same, if Coverdill et al. system can reset or monitor the subsystems, it also can actuating the electrical components on the vehicle in response to the signal from the transmitter [column 2: lines 55-61] . It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Coverdill et al. by including actuating electrical components on the vehicle in response to the signal from the transmitter. The skilled artisan would have been motivated to modify Coverdill et al. as above for the purpose of performing diagnostics on the vehicle remotely.

Regarding claims 3 and 13, Coverdill et al. disclose wherein said step of relaying a signal from the remote transmitter is further defined by transmitting a radio frequency signal from a remote transmitter to a vehicle receiver [column 4: lines 2-4].

Regarding claim 4, Coverdill et al. disclose 4. A method as set forth in claim 3 including the step of relaying the signal received by the receiver to an electronic control device located aboard the vehicle [column 2: lines 32-38].

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Regarding claim 5, Coverdill et al. disclose wherein said step of actuating the electrical components is further defined by directing the electronic components through an actuation cycle programmed into the electronic control device [column 2: lines 38-54; column 3: lines 47-57].

Regarding claim 6, Coverdill et al. disclose further including the step of wiring the receiver to the electrical components for by-passing the electronic control device for directly signaling the electrical components [column 2: lines 39-49].

Regarding claim 16, Coverdill et al. disclose wherein said step of wiring the receiver to the electrical components is further defined by wiring the receiver to a J1708/J1587 electronic data bus for by-passing the electronic control device for directly signaling the electrical components [column 1: lines 36-43].

Regarding claim 11, Coverdill et al. disclose step of programming the electronic control device is further defined by entering a temporary program into the electronic control device for actuating the electrical components [column 5: lines 56-65].

Regarding claim 12, Coverdill et al. disclose wherein said steps of transmitting a signal, and performing diagnostic analysis are executed by a single operator [column 2: lines 55-60].

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7. Claims 7-9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's Coverdill et al. (US Patent number 5,890,080) in view of Doyle et al. (US Patent number 5,850,188).

Regarding claims 7, 8, 9 and 14, Coverdill et al. disclose the essential elements of the claimed invention. However, Coverdill et al. do not explicitly disclose keyless entry receiver. Doyle et al. disclose a keyless entry receiver [column 2: lines 24-27; 48-64]. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Coverdill et al. by including a keyless entry receiver. The skilled artisan would have been motivated to modify Coverdill et al. as above for the purpose of performing diagnostics on the vehicle remotely.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wasseem Hamdan whose telephone number is (703) 305-3968. The examiner can normally be reached Monday-Thursday from 700AM-400PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Safet Metjahic can be reached on (703) 308-1436.

The fax phone number for this Art Unit is (703)305-3432 or (703)305-3431.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Receptionist at (703) 305-3800.

9. **Any response to this action should be mailed to:**

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or faxed to:

(703) 308-7722 or (703) 308-7724, or (703) 305-3431, or (703) 305-3432 (for formal communications intended for entry, please label "FORMAL" and sign as attorney of record)

Or:

(703) 305-9724 (for informal or draft communications, please label "PROPOSED" or "DRAFT" and prominently label PLEASE DELIVER DIRECTLY TO EXAMINER)

Hand-delivered responses should be brought to Crystal Plaza 4 [fourth Floor (Receptionist)], 2201 South Clark Place, Arlington, VA. 22202.

Wasseem H. Hamdan

WH
October 24, 2000


Safet Metjahic
Supervisory Patent Examiner
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